



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Alfonso FUENTES Jr,

Defendant.

Magistrate Case No.:

'08 MJ 83 14

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about April 8, 2008, within the Southern District of California, defendant Alfonso FUENTES Jr did knowingly and intentionally import approximately 47.16 kilograms (103.75 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9TH,
DAY OF April 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Alfonso FUENTES Jr

4 STATEMENT OF FACTS

5 This statement of facts is based on the reports, documents, and notes furnished
6 to US Immigration and Customs Enforcement Special Agent Reuben McDowell.

7 On April 8, 2008, at approximately 0005 hours, Alfonso FUENTES Jr
8 entered the United States at the Calexico, California, West Port of Entry. Customs and
9 Border Officer (CBPO) S. German was manning primary. CBPO German immediately
10 noticed that FUENTES hands were trebling as he handed CBPO German his California
11 driver's license and birth certificate. CBPO German asked FUENTES if he was the
12 registered owner and FUENTES said yes. CBPO German received a negative oral
13 Customs declaration from FUENTES. CBPO Lopez referred the vehicle to the
14 secondary inspection area.

15 CBPO J. Tubbs received the vehicle in the secondary inspection area. CBPO
16 Tubbs received a negative Customs declaration from FUENTES. FUENTES stated that
17 the vehicle was his. CBPO Tubbs requested CEO S. Leon screen the vehicle with his
18 narcotic detector dog (NDD). The NDD alerted to the front fenders.

19 A subsequent inspection by CBPO Tubbs revealed 45 packages located in the
20 front fenders of the vehicle. One of the packages was probed and a sample of a green
21 leafy substance was obtained, which field tested positive for marijuana. The 45
22 packages had a combined net weight of approximately 47.16 kilograms (103.75
23 pounds).

24 FUENTES was placed under arrest and advised of his Constitutional Rights
25 according to Miranda, which he acknowledged and waived, agreeing to answer
26 questions. FUENTES admitted knowledge of the marijuana found in the vehicle.
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